

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81782 of 2023

Arising Out of PS. Case No.-277 Year-2021 Thana- SIDHWALIYA District- Gopalganj

ANJU DEVI W/O RABINDRA PRASAD R/O VILLAGE - LADAULI, P.S -
SIDHWALIA, DISTT. - GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-02-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 304(B)
and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
came to be implicated in Sidhwalia P.S. Case No. 277 of 2021
registered under Sections 304(B) and 34 of the Indian Penal
Code on the ground that petitioner is sister-in-law (Gotani) of
the deceased. It is further submitted that from perusal of the
allegations as alleged in the FIR, it would manifest that the
allegations are general and omnibus in nature and the informant
is not an eyewitness to the occurrence. It is next submitted that
the husband of the deceased was acquitted in duly constituted



Session Trial No. 206 of 2022, hence, it is submitted that no useful purpose would be served by sending the petitioner to jail when the allegations against her are general and omnibus in nature. It is also submitted that father-in-law of the deceased had moved this Court by filing Cr. Misc. No. 3323 of 2024 (Babuchand Prasad Vs. The State of Bihar) seeking anticipatory bail and the same was allowed by an order dated 12.02.2024.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that in the event if the privilege of anticipatory bail is granted to the petitioner, the petitioner will never appear before the learned trial court for facing the trial on which learned counsel for the petitioner submits that petitioner will appear before the learned trial court and will also get the charges framed and will participate in the trial.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/successor court in connection with Sidhwalia P.S. Case No. 277 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that the learned trial court would be at liberty to cancel the bail bonds of the petitioner in the event if the learned trial court comes to a conclusion that petitioner is delaying the framing of charge.

(Satyavrat Verma, J)

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